

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA,

v.

CHRISTOPHER CONDRON,

Defendant.

*
*
*
*
*
*

Criminal No. 1:17-cr-10243-IT-1

AMENDED PRETRIAL ORDER

December 5, 2019

TALWANI, D.J.

The court having allowed the Joint Motion to Amend the Pretrial Order [#166] in light of the rescheduled trial date, it is hereby ORDERED that:

1. Trial shall commence on **April 27, 2020**, at 9:00 a.m.
2. The parties shall by **March 23, 2020**, file proposed voir dire questions, proposed jury instructions, and a trial brief.
3. Statements (as defined in 18 U.S.C. § 3500(e) and Fed. R. Crim. P. 26.2(f)) of witnesses each party intends to call in its or his case-in-chief shall be produced by **March 20, 2020**.
4. The government shall by **March 20, 2020**:
 - (a) Disclose to the defendant the exculpatory information identified in Local Rule 116.2 that has not been previously produced;
 - (b) Disclose to the defendant a general description (including the approximate date, time, and place) of any crime, wrong, or act the government proposes to offer pursuant to Fed. R. Evid. 404(b);
 - (c) Absent written objection, provide the defendant with the names and addresses of witnesses the government intends to call at trial in its case-in-

chief. If the government subsequently forms an intent to call any other witness, the government shall promptly notify the defendant of the name and address of that prospective witness; and,

- (d) Absent written objection, provide the defendant with copies of the exhibits and a premarked list of exhibits the government intends to offer in its case-in-chief. If the government subsequently decides to offer any additional exhibit in its case-in-chief, the government shall promptly provide the defendant with a copy of the exhibit and a supplemental exhibit list.

5. Any further motions in limine, if any, shall be filed with supporting memoranda by **March 23, 2020**. Responses to any motion in limine shall be filed by **April 6, 2020**.

6. The defendant shall by **April 20, 2020**:

- (a) Absent written objection, provide the government with the names and addresses of the witnesses the defendant intends to call in his case-in-chief. If the defendant subsequently forms an intent to call any other witness in his case-in-chief, he shall promptly notify the government of the name and address of that witness; and,
- (b) Absent written objection, provide the government with copies of the exhibits and a premarked list of the exhibits the defendant intends to offer in his case-in-chief. If the defendant subsequently decides to offer any additional exhibits in his case-in-chief, he shall promptly provide the government with a copy of the exhibit and a supplemental exhibit list.

7. The parties shall by **April 20, 2020**:
- (a) File a written stipulation of any facts that they agree are not in dispute;
 - (b) File a list of all witnesses they may call at trial to be read to the jury during voir dire;
 - (c) File a joint exhibit list of all exhibits that a party may offer at trial, identified and marked by a single sequence of numbers, regardless of which party is the proponent of an exhibit, with gaps as necessary to reflect any documents the parties no longer may offer at trial, and including notation as to those items the party expects to offer and those it may offer if the need arises, and noting as to each document whether the opposing party: (1) objects to the document; (2) may object to the document and reserves its position on the issue at this time; or (3) has no objection to the document. The list shall be filed in the form of the chart in attached Appendix A, with notations regarding objections set forth in column 5, and columns 6 and 7 and 8 left blank;
 - (d) Provide the court with a disc containing courtesy copies of all exhibits, numbered according to the single sequence agreed on by the parties. The exhibits shall be pre-marked with exhibit stickers containing the numbering set forth in the joint list of all exhibits, and should have all prior exhibit numbers, exhibit stickers, or other numbering removed;
 - (e) File any objections to the other party's proposed voir dire questions and jury instructions.
8. A hearing on Motions in Limine shall be held on **April 10, 2020, at 2:15 p.m.**

9. The Final Pretrial Conference shall be held on **April 20, 2020, at 2:00 p.m.**

NOTE: IF THE COURT RESCHEDULES THE TRIAL, ALL SUBMISSION DATES IN THIS ORDER REMAIN IN EFFECT UNLESS COUNSEL FILE A MOTION SEEKING LEAVE OF COURT TO MODIFY THEM TO SPECIFICALLY DESIGNATED DATES.

Date: December 5, 2019

/s/Indira Talwani
United States District Judge

APPENDIX A

(leave columns 6-8 blank)

USE THIS FORMAT FOR PREPARATION OF THE EXHIBIT LIST:

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
|--|-----------------------------|---------------------------------------|--|--|----------|----------|----------|
| Exhibit Number for Identification | Briefly Describe | Party Offering Exhibit | Does party expect to offer exhibit or may offer if need arises? | Does opposing side object, reserve, or have no objection? | | | |
| | | | | | | | |
| | | | | | | | |

SAMPLE EXHIBIT LIST

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
|--|--------------------------------|---------------------------------------|--|--|----------|----------|----------|
| Exhibit Number for Identification | Briefly Describe | Party Offering Exhibit | Does party expect to offer exhibit or may offer if need arises? | Does opposing side object, reserve, or have no objection? | | | |
| 1 | Hospital record 1/2/2013 | Pl. | Offer | No objection | | | |
| 2 | Photo of accident scene | Def. | Offer | Reserved until trial | | | |
| 3 | Police report | Pl. | May offer | Objection | | | |